

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

WALTER F. SCOTT,)
))
) Plaintiff,)
))
))
) vs.) No. 4:05CV70-SNL
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))
ST. LOUIS COUNTY POLICE DEPARTMENT,)
ST. LOUIS COUNTY MUNICIPAL COURT,)
and ST. LOUIS COUNTY, MISSOURI,)
))
))
) Defendants.)

ORDER

The motions to dismiss of defendant St. Louis County Police Department and St. Louis County Municipal Court are before the Court. Plaintiff has responded.

It is well established that neither City nor County Police Departments nor Board of Police Commissioners are suable entities under § 1983. See Will v. Michigan Dept. of State Police, 491 U.S. 5871 (1989); Edwards v. Baer, 863 F.2d 606, 609 (8th Cir. 1988); Best v. Schoemehl, 652 S.W. 2d 740, 742 (Mo. App. 1983). These entities may only be sued by bringing an action against the individual members of the Board in their official capacity. Plaintiff here has not attempted to allege any complaint against individual members of the Board. Accordingly, this claim should be dismissed.

IT IS THEREFORE ORDERED that the motions of defendants St. Louis County Police Department, St. Louis County Municipal Courts are **SUSTAINED**. Such defendants are dismissed with prejudice.

Dated this 1st day of August, 2005.

Stephen T. Linsburg Jr.

SENIOR UNITED STATES DISTRICT JUDGE

Stephen T. Limbaugh